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**FACSIMILE TRANSMITTAL**

**TO:**

Name: Mail Stop RCE  
Group Art Unit 3738/Examiner David H. Willse

Firm: U.S. Patent & Trademark Office

Fax No.: 571-273-8300

Subject: U.S. Patent Application No. 10/674,971  
Gary K. Michelson  
Filed: September 30, 2003  
METHOD FOR INSERTING AN INTERBODY  
SPINAL FUSION IMPLANT HAVING AN  
ANATOMICALLY CONFORMED TRAILING END  
Attorney Docket No. 101.0059-02000  
Customer No. 22882  
Confirmation No.: 4939

**FROM:**

Name: Amedeo F. Ferraro, Esq.

Phone No.: 310-286-9800

No. of Pages (including this): 5

Date: July 23, 2008

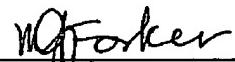
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**Message:**

**CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that the attached Transmittal Form (in duplicate; the total amount of \$810.00 to cover the RCE fee is to be charged to Deposit Account No. 50-3726) and the Request for Continued Examination (in duplicate) are being facsimile transmitted to the U.S. Patent and Trademark Office on July 23, 2008.



Miyabi Grace Forker

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FORM PTO-1083

Attorney Docket No.: 101.0059-02000  
Customer No. 22882

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gary K. Michelson

Serial No: 10/674,971

Filed: September 30, 2003

For: METHOD FOR INSERTING AN  
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JUL 23 2008

Confirmation No.: 4939

Art Unit: 3738

Examiner: David H. Willse

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a Request for Continued Examination (RCE) in reply to the Advisory Action dated July 9, 2008 and further to the Final Office Action of April 23, 2008 in the above-identified application.

- No additional fee is required.
- Applicant hereby requests a \*\*\*-month extension of time to respond to the above office action.
- A Terminal Disclaimer is enclosed.
- An Information Disclosure Statement Under 37 C.F.R. § 1.97(\_\_\_\_\_) with Form PTO/SB/08 is enclosed.
- The total amount of \$810.00 to cover the RCE fee is to be charged to Deposit Account No. 50-3726.
- The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-3726.  
**A copy of this sheet is enclosed.**
- Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
- Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,  
MARTIN & FERRARO, LLP

By:

  
Amedeo F. Ferraro  
Registration No. 37,129

Date: July 23, 2008

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Transmittal 7-23-08

FORM PTO-1083

Attorney Docket No.: 101.0059-02000  
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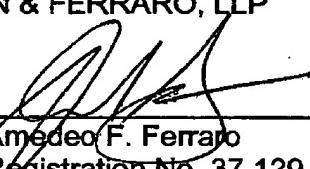
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